



The Sea Ranch Association

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Administration

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August 22, 2007

Mr. Ken Wiseman, Executive Director MLPA Initiative
C/O California Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

**RE: THE DEL MAR LANDING MARINE PRESERVE AREA, (MPA)
THE SEA RANCH, CA**

Dear Mr. Wiseman:

The description of the Del Mar Landing MPA (Appendix V) of the ***Draft Regional Profile of the North Central Study Region Alder Creek/ Point Arena to Pigeon Point California, May 7, 2007*** contains the following:

The Del Mar Landing MPA is an area where the degree of protection could be increased and site boundaries could be expanded with little opposition from consumptive groups. The community is very supportive of a state marine reserve in this area and would contribute to the effectiveness of local enforcement.

This proposed expansion of the Del Mar Landing MPA appears to follow from the ***Draft Regional Profile*** section 9.3, which notes *the central coast scientific advisory team determined guidelines for size and spacing of MPAs: "... MPAs should have an alongshore span of 5-10 km (3-6 mi or 2.5- 5.4 nmi) of coastline, and preferably 10-20 km (6-12.5 mi or 5.4-11 nmi). Larger MPAs would be required to fully protect marine birds, mammals, and migratory fish..."* With a length of 0.7 mi, the Del Mar Landing MPA is well below the preferred MPA length.

In addition to being a state marine reserve, the Del Mar Landing MPA is also a State Water Quality Protection Area (SWQPA) subject to the provisions of the California Ocean Plan, as adopted by the State Water Resources Control Board (SWRCB). About three years ago the SWRCB notified The Sea Ranch Association (Association) that it must cease storm water discharge into the Del Mar MPA or request an exception from the SWRCB to continue the discharges. The Association has requested an exception for two small storm water discharges into the Del Mar MPA, but the SWRCB has yet to take action on the request. Any expansion of this MPA, either north or south, would encounter additional storm water discharges and, if the SWQPA restrictions are included in the expansion, the expansion could result in the Association having to cease the discharges and/or engage in potentially costly mitigation and/or monitoring of the expanded MPA.

We see that water quality is part of the MLPA Initiative, as the Del Mar MPA is included in the ***Draft Regional Profile*** section 4.3, discussion on water quality issues and existing State regulations:

Coastal water quality information is important in MPA planning to ensure that any potential threats to marine resources in MPAs from poor water quality can be identified and addressed through MPA siting or coordination with agencies with jurisdiction over water quality. The Water Quality Control Plan for Ocean Waters of California (California Ocean Plan), prepared by the SWRCB, has been in effect since 1972. This plan outlines all of the requirements and implementation measures for management of waste discharge to the ocean.

Along with the SWRCB, under the California Ocean Plan, the North Coast Regional Water Quality Control Board (RWQCB) manages Region 1. Each RWQCB has a unique "Water Quality Control Plan" (or "Basin Plan"). The SWRCB establishes "areas of special biological significance" (ASBSs) through the California Ocean Plan. These ASBSs are included in state water quality protection areas (SWQPAs) that are "designated to protect marine species or biological communities from an undesirable alteration in natural water quality...". SWQPAs are one of six types of managed areas described in the Marine Managed Areas Improvement Act, and within SWQPAs waste discharges are prohibited or limited. There are 10 SWQPAs (I have only shown the Del Mar MPA is in the table below) in the north central coast study region (Table 7).

Table 7: SWQPAs in the North Central Coast Study Region

<i>SWQPA Name</i>	<i>Area (sq mi)</i>	<i>SWQPA ID Number</i>
<i>Del Mar Landing Ecological Reserve ASBS</i>	<i>0.12</i>	<i>2</i>

The California Critical Coastal Areas (CCAs), designated by the California Coastal Commission, significantly overlap with SWQPAs. These CCAs serve the dual goals of "improving degraded water quality, and providing extra protection from non-point source pollution (NPSP) to marine areas with recognized high resource value". Seventeen areas (again, I have only shown the Del Mar MPA is in the table below) in the study region have been designated as Critical Coastal Areas (Table 8).

Table 8: Critical Coastal Areas in the Study Region

<i>Critical Coastal Area Name</i>	<i>CCA ID Number</i>
<i>Del Mar Landing Ecological Reserve</i>	<i>ASBS 17</i>

It appears from the above that expansion of the Del Mar MPA could indeed result in a concurrent or subsequent expansion of the Del Mar SWQPA. As noted, the Association has already spent considerable staff time and about \$10,000 on studies to address SWRCB's issue on storm water discharge into the existing Del Mar Landing MPA and to support the request for a discharge exception. Given that the SWRCB has not responded to this study or the exception request, it is as yet unclear what the Association's responsibilities

will be with respect to water quality in the Del Mar MPA and, more importantly, what the financial implications of any expansion of the MPA will entail. Therefore, until the Association gains a clear understanding of the potential for SWQPA regulations in an expanded MPA, the Association must oppose any expansion of the Del Mar Landing MPA, as suggested in the ***Draft Regional Profile***.

The Association has long supported the protection of marine resources along our coastline. The Association has an active Seal Pup Docent Program, supports the study of shore bird populations in cooperation with the Bureau of Land Management, and monitors two voluntary marine preserves in addition to the Del Mar MPA. Although the Association wishes to be cooperative with the addition of or expansion of marine protection areas, it must also be concerned with potential financial impacts.

We look forward to your reply to the Association's concerns at your earliest possible convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read "James A. Jordan, Jr.", with a stylized, cursive script.

James A. Jordan, Jr., Ph.D., Chair
Board of Directors
The Sea Ranch Association

cc: Supervisor Mike Reilly
Assembly Member Patty Berg

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